

Exhibit 5

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON) IN THE COURT OF COMMON PLEAS
Anderson Memorial Hospital, on behalf) Civil Action No.92-CP-25-279
of itself and others similarly situated)
Plaintiffs,)
v.)
W. R. Grace & Company; W.R. Grace &) ORDER
Company-Connecticut; United States)
Mineral Products Company; T&N, plc.,)
formally Turner & Newall, PLC and Turner)
& Newall, LTD; United States Gypsum)
Company; Asbestos Products Manufacturing)
Corporation; Asbestospray Corporation;)
H&A Construction Company,)
Defendants.)

FILED
10:05 AM
FEB 09 2001
M. Linda S. Neale
CLERK OF COURT
HAMPTON COUNTY

Anderson Memorial Hospital has petitioned this Court for emergency relief which is based on the verified petition of counsel. I find under the circumstances such ex parte request is appropriate and not violative of the prohibition against ex parte communications. Based on the evidence and law presented to me at this time, I conditionally certify against W. R. Grace & Company and W.R. Grace & Company-Connecticut the class action requested in the Plaintiff's class certification motion. I further issue a Rule to Show Cause, returnable within three days from the date this order is served, for W. R. Grace & Company and W.R. Grace & Company-Connecticut to show cause why this conditional class certification should not remain in effect pending the Court's final order on Plaintiff's motion to certify.

IT IS SO ORDERED.

York, South Carolina
February 9, 2001

John C. Hayes III
The Honorable John C. Hayes, III
Presiding Judge

